

Serial No.: 09/856,032

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a cable duct (19) for passing cables installed in at least one side wall element (S) having an outer packing frame (19.2) with sealing modules (19.1) received therebetween, and the sealing modules (19.1) having feed-through openings for the cables, and having inner walls in removable layers to adapt diameters of the feed-through openings to various cable diameters.

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A check for the additional fee for this Amendment is enclosed.

#### REMARKS

Applicants respectfully request reconsideration of this Patent Application, particularly in view of the above Amendment and the following remarks.

#### Request For Telephone Interview

Applicants' undersigned attorney requests a telephone interview with the Examiner if the arguments are not deemed sufficient to place the Patent Application in condition for allowance.

#### Amendment to Claims

Applicants have amended Claim 1 to require that the "*ceiling (3) is assembled from plate-shaped individual elements (D) which are arranged side-by-side and designed fireproof,*" and that "*the at least two fireproof layers withstand the*

temperatures up to several hundred degrees Centigrade,” to clarify limitations of Applicants’ claimed invention. Claim 1 was further amended to require “*the high-temperature seals (2.6) positioned in a sealing groove formed by the joints.*” This Amendment is fully supported in the Substitute Specification at page 3, line 14 through page 4, line 12 and Fig. 4A.

Applicants have amended Claims 5 and 10 to clarify limitations of Applicants’ claimed invention.

Applicants have amended Claims 10, 11 and 12 into independent form to include the limitations of Claim 1 and to overcome the rejection under 35 U.S.C. § 112.

No new matter has been added to the claims by this Amendment.

#### **Drawing Objections**

The drawings have been objected to under 37 CFR 1.83(a). Applicants have amended Fig. 4A to include element reference number 20 indicating the sealing groove. Applicants have further amended the Substitute Specification at page 8, after line 8, to include a description of the sealing groove 20. These Amendments are fully supported in the Substitute Specification at page 4, lines 8-12. Thus, Applicants respectfully request withdrawal of this objection.

**Claim Rejections - 35 U.S.C. § 112**

Claims 1-12 have been rejected under 35 U.S.C. § 112, second paragraph, for the reasons set forth at paragraph 4 of the Office Action.

Claim 1 has been amended to clarify that the side walls and the ceiling each are assembled from plate-shaped individual elements, (S, E) and (D), respectively.

Claims 5 and 10 have been amended to render the claims definite.

Applicants believe that the above Amendment and remarks overcome the rejection of Claims 1-12 under 35 U.S.C. § 112, second paragraph. Thus, Applicants respectfully request withdrawal of this rejection.

**Claim Rejections - 35 U.S.C. § 103**

Claims 1, 8 and 9 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 4,455,801 ("Merritt") in view of U.S. Patent 4,099,355 ("Strunk") and Japan Abstract 10002040 ("Nobuo et al.").

Applicants have amended independent Claim 1 to require "*the high-temperature seals (2.6) positioned in a sealing groove formed by the joints.*"

Merritt teaches a lightweight vault wall having joint covers that are positioned on an outer wall of a panel to cover joints between adjacent panels. Merritt does not teach or suggest sealing elements having an expanding seal arranged in a central area and high-temperature seals arranged laterally of the expanding seal and

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positioned within a sealing groove formed by the joints, as required by Applicants' claimed invention.

Further, neither Strunk nor Nobuo et al. teach or suggest sealing elements having an expanding seal arranged in a central area and high-temperature seals arranged laterally of the expanding seal and positioned within a sealing groove formed by the joints, as required by Applicants' claimed invention. Thus, Merritt, alone or in combination with Strunk and/or Nobuo et al. does not render Applicants' claimed invention obvious as required by 35 U.S.C. § 103(a).

For the above reasons, Applicants believe that the above Amendment and remarks overcome the rejection of Claims 1, 8 and 9 under 35 U.S.C. § 103(a).

Claims 2-4 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Merritt, as modified by Strunk and Nobuo et al. as applied to Claim 1 above, and further in view of U.S. Patent 6,293,069 ("Monda et al.").

Claims 2-4 depend from and further limit amended independent Claim 1. As discussed above, Applicants believe that the above Amendment and remarks overcome the rejection of Claim 1 under 35 U.S.C. § 103(a). Thus, Applicants respectfully request withdrawal of this rejection.

### **Allowable Subject Matter**

The Examiner has indicated that Claims 5, 6 and 10-12 appear to be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112, second paragraph, and to include all of the limitations of the base claim and any intervening claims.

Claims 5 and 6 depend from and further limit independent Claim 1. Applicants believe that independent Claim 1 as amended is patentable over the cited prior art references and, thus, Claims 5 and 6 are in condition for allowance in dependent form. Additionally, although there is no indication in the Office Action, Applicants believe that Claim 7, which depends from and further limits dependent Claim 6, is also in condition for allowance in dependent form.

Applicants have amended dependent Claims 10, 11 and 12, each into independent form. Therefore, Applicants believe that amended Claims 10, 11 and 12 are in condition for allowance.


### **Conclusion**

Applicants intend to be fully responsive to the outstanding Office Action. If the Examiner detects any issue which the Examiner believes Applicants have not overcome in this response, Applicants' undersigned attorney requests a telephone interview with the Examiner.

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Applicants sincerely believe that this Patent Application is now in condition for allowance and, thus, respectfully request early allowance.

Respectfully submitted,



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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**In the Specification:**

At page 8, after line 8:

As shown in Fig. 4A, a sealing groove 20 between the areas at the joints of the side wall elements S is covered at least on one of two outer layers 2.1 by the sealing tape 2.7. The sealing groove 20 is closed off with the sealing material 2.8 at least on one of its areas joining the two outer layers 2.1.

**In the Claims:**

1. (Twice Amended) In a secure room for a device used in connection with information technology, having fireproof side walls (2) with a door (5), a floor (4) and a ceiling (3), wherein the side walls (2) are assembled from plate-shaped individual elements (S, E) which are arranged side-by-side, are designed fireproof and extend from the floor (4) to the ceiling (3), and the ceiling (3) is assembled from plate-shaped individual elements (D) which are arranged side-by-side and designed fireproof, wherein fireproof sealing elements (2.5, 2.6, 2.7, 2.8) are arranged in joints between the individual elements (S, D, E) having at least two fireproof layers (I, II, III), and the individual elements (S, D, E) are held against each other by a connection (2.9, 14) which pushes the sealing elements (2.5, 2.6, 2.7, 2.8) together, the improvement comprising:

the sealing elements (2.5, 2.6, 2.7, 2.8) having an expanding seal (2.5) when viewed in a cross section is arranged in a central area and expands in an event of a fire and arranged laterally therefrom high-temperature seals ~~(2.6)[(2.5)]~~ which withstand temperatures up to several hundred degrees Centigrade, the high-temperature seals (2.6) positioned in a sealing groove formed by the joints,

the individual elements (S, D, E) are constructed in layers with outside layers of steel (2.1, ~~3.1~~[3.2]) arranged on exteriors of the individual elements (S, D, E) and with at least two of the fireproof layers (I, II, III) between them [which], the at least two fireproof layers withstand the temperatures up to several hundred degrees Centigrade.

2. (Twice Amended) In the secure room in accordance with claim 1, wherein [a] the sealing groove between areas at joints of the individual elements (S, D, E) is covered at least on one of two outer sides by a sealing tape (2.7).

5. (Twice Amended) In the secure room in accordance with claim 4, wherein the connection at the outer coverings (2.1, 3.1) has connecting elements (2.9) in the area of the sealing grooves, which have grooves open at the sides and tapering conically toward the top, and closure elements (14) which taper toward the top [can be placed] pressable on the connecting elements (2.9) of the adjoining



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individual elements (S, D, E) with lateral bevels and [can be] clampingly [fixed] fixable in place.

8. (Amended) In the secure room in accordance with claim 1, wherein [a] the sealing groove between areas at joints of the individual elements (S, D, E) is closed off with a sealing material (2.8) at least on one area adjoining the two outer sides.

10. (Amended) [In the secure room in accordance with claim 1] In a secure room for a device used in connection with information technology, having fireproof side walls (2) with a door (5), a floor (4) and a ceiling (3), wherein the side walls (2) are assembled from plate-shaped individual elements (S, E) which are arranged side-by-side, are designed fireproof and extend from the floor (4) to the ceiling (3), and the ceiling (3) is assembled from plate-shaped individual elements (D) which are arranged side-by-side and designed fireproof, wherein fireproof sealing elements (2.5, 2.6, 2.7, 2.8) are arranged in joints between the individual elements (S, D, E) having at least two fireproof layers (I, II, III), and the individual elements (S, D, E) are held against each other by a connection (2.9, 14) which pushes the sealing elements (2.5, 2.6, 2.7, 2.8) together, the improvement comprising:

the sealing elements (2.5, 2.6, 2.7, 2.8) having an expanding seal (2.5) when viewed in a cross section is arranged in a central area and expands in an event of a fire and arranged laterally therefrom high-temperature seals (2.6) which withstand temperatures up to several hundred degrees Centigrade,

the individual elements (S, D, E) constructed in layers with outside layers of steel (2.1, 3.1) arranged on exteriors of the individual elements (S, D, E) and with at least two of the layers (I, II, III) between them, the at least two of the layers withstanding the temperatures up to several hundred degrees Centigrade, and

[wherein] the connection at the outer coverings (2.1, 3.1) [has] having connecting elements (2.9) in an area of sealing grooves which have grooves, open at sides and tapering conically toward the top, and closure elements (14) which taper toward the top [can be placed] pressable on the connecting elements (2.9) of the adjoining individual elements (S, D, E) with lateral bevels and [can be] clampingly [fixed] fixable in place.

11. (Amended) [In the secure room in accordance with claim 1]  
In a secure room for a device used in connection with information technology, having fireproof side walls (2) with a door (5), a floor (4) and a ceiling (3), wherein the side walls (2) are assembled from plate-shaped individual elements (S, E) which are arranged side-by-side, are designed fireproof and extend from the floor (4) to the

ceiling (3), and the ceiling (3) is assembled from plate-shaped individual elements (D) which are arranged side-by-side and designed fireproof, wherein fireproof sealing elements (2.5, 2.6, 2.7, 2.8) are arranged in joints between the individual elements (S, D, E) having at least two fireproof layers (I, II, III), and the individual elements (S, D, E) are held against each other by a connection (2.9, 14) which pushes the sealing elements (2.5, 2.6, 2.7, 2.8) together, the improvement comprising:

the sealing elements (2.5, 2.6, 2.7, 2.8) having an expanding seal (2.5) when viewed in a cross section is arranged in a central area and expands in an event of a fire and arranged laterally therefrom high-temperature seals (2.6) which withstand temperatures up to several hundred degrees Centigrade,

the individual elements (S, D, E) constructed in layers with outside layers of steel (2.1, 3.1) arranged on exteriors of the individual elements (S, D, E) and with at least two of the layers (I, II, III) between them, the at least two of the layers withstanding the temperatures up to several hundred degrees Centigrade, and

[wherein] undersides of the side walls (2) [are] inserted into U-shaped floor profiles (2.3) open toward the top, and the seals and the connection (2.9, 14) [are] covered at least on an inside of the secure room with profiled linings (15).

12. (Amended) [In the secure room in accordance with claim 1]

In a secure room for a device used in connection with information technology, having fireproof side walls (2) with a door (5), a floor (4) and a ceiling (3), wherein the side walls (2) are assembled from plate-shaped individual elements (S, E) which are arranged side-by-side, are designed fireproof and extend from the floor (4) to the ceiling (3), and the ceiling (3) is assembled from plate-shaped individual elements (D) which are arranged side-by-side and designed fireproof, wherein fireproof sealing elements (2.5, 2.6, 2.7, 2.8) are arranged in joints between the individual elements (S, D, E) having at least two fireproof layers (I, II, III), and the individual elements (S, D, E) are held against each other by a connection (2.9, 14) which pushes the sealing elements (2.5, 2.6, 2.7, 2.8) together, the improvement comprising:

the sealing elements (2.5, 2.6, 2.7, 2.8) having an expanding seal (2.5) when viewed in a cross section is arranged in a central area and expands in an event of a fire and arranged laterally therefrom high-temperature seals (2.6) which withstand temperatures up to several hundred degrees Centigrade,

the individual elements (S, D, E) constructed in layers with outside layers of steel (2.1, 3.1) arranged on exteriors of the individual elements (S, D, E) and with at least two of the layers (I, II, III) between them, the at least two of the layers withstanding the temperatures up to several hundred degrees Centigrade, and

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[wherein] a cable duct (19) for passing cables [is] installed in at least one side wall element (S) [which has] having an outer packing frame (19.2) with sealing modules (19.1) received therebetween, and the sealing modules (19.1) [have] having feed-through openings for the cables, and [have] having inner walls in removable layers to adapt diameters of the feed-through openings to various cable diameters.



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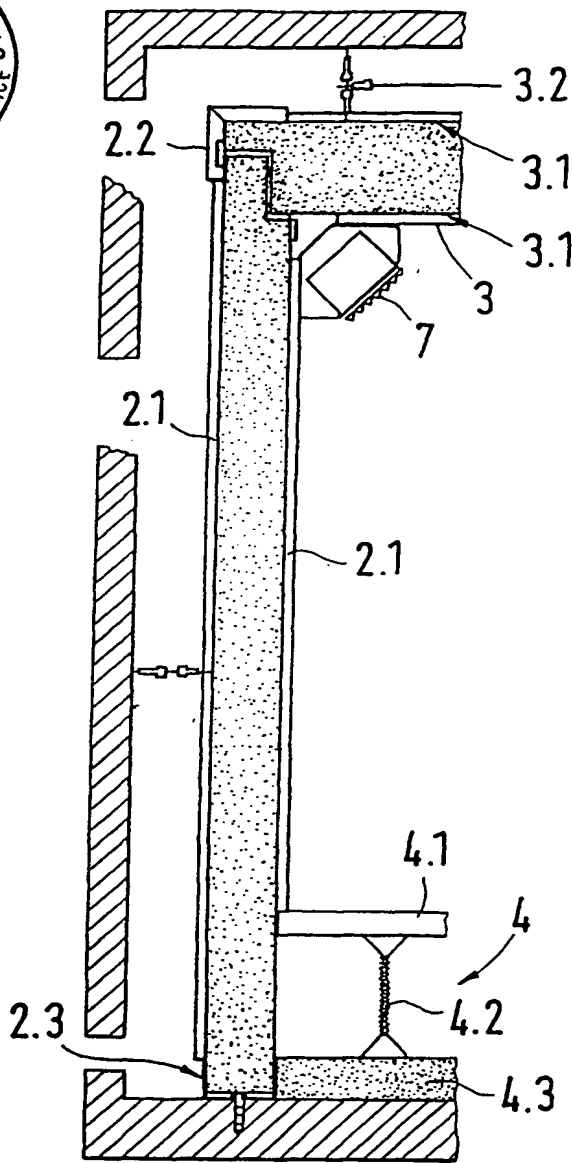


Fig. 2



Fig. 3a

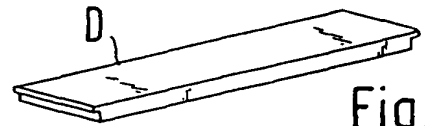


Fig. 3b

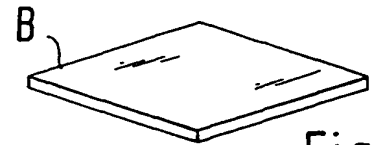


Fig. 3c

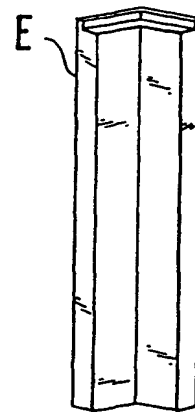


Fig. 3d

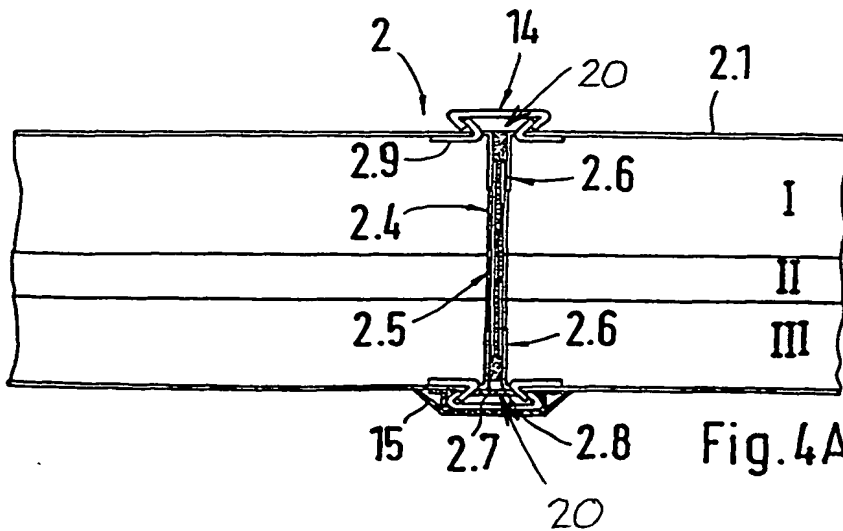


Fig. 4A

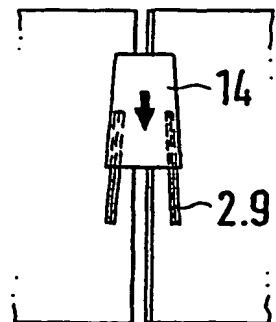


Fig. 4B